

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA
2018 AUG 22 PM 2:00
OFFICE OF THE CLERK

Infogroup, Inc., Delaware corporation,

Plaintiff,

vs.

DatabaseUSA.com LLC, a Nevada
limited-liability company, and Vinod
Gupta,

Defendants.

8:14-CV-49

VERDICT FORM

VERDICT-FALSE ADVERTISING

Question 1: On Infogroup's false advertising claim against DatabaseUSA, as instructed in Instruction #12, we find in favor of:

X Infogroup
_____ DatabaseUSA

(Mark an "X" in the appropriate space)

Answer Question 2 only if you find in favor of Infogroup in Question 1. If you found in favor of DatabaseUSA, you have completed your deliberation for this claim and may proceed to the next claim.

Question 2: What is the total amount of damages, if any, that will fairly and reasonably compensate Infogroup for its injuries caused by DatabaseUSA's false advertising?

\$ 4,000,000

VERDICT-COPYRIGHT INFRINGEMENT

Question 1: On Infogroup's copyright infringement claim against DatabaseUSA as instructed in Instruction #13, we find in favor of:

X Infogroup
_____ DatabaseUSA

(Mark an "X" in the appropriate space)

Answer Question 2 only if you find in favor of Infogroup in Question 1. If you found in favor of DatabaseUSA, you have completed your deliberation for this claim and may proceed to the next claim.

Question 2: What is the total amount of damages, if any, that will fairly and reasonably compensate Infogroup for its injuries caused by DatabaseUSA's copyright infringement?

\$ 39,600,000

Answer Question 3 only if you awarded damages in Question 2, but your award includes compensation for an injury already redressed by your award on a previous claim, as explained in Instruction #21. If your answer to Question 2 does not include compensation for an injury that has already been redressed, you have completed your deliberation for this claim and may proceed to the next claim.

Question 3: By what amount, if any, should your answer to Question 2 be reduced to prevent Infogroup from recovering more than once for the same injury?

\$ _____

VERDICT-MARK INFRINGEMENT

Question 1: On Infogroup's mark infringement claim against DatabaseUSA as instructed in Instruction #15, we find in favor of:

X Infogroup
 DatabaseUSA

(Mark an "X" in the appropriate space)

Answer Question 2 and 3 only if you find in favor of Infogroup in Question 1. If you found in favor of DatabaseUSA, you have completed your deliberation for this claim and may proceed to the next claim.

Question 2: Place an X next to the mark(s) that you have found were infringed by DatabaseUSA.

X infoUSA (Registration No. 2,147,134)
X REFERENCEUSA (Registration No. 2,507,419)
X SALESGENIE.com (Registration No. 3,388,763)

Question 3: What is the total amount of damages, if any, that will fairly and reasonably compensate Infogroup for its injuries caused by DatabaseUSA's mark infringement?

\$ 4,000,000.

Answer Question 4 only if you awarded damages in Question 3, but your award includes compensation for an injury already redressed by your award on a previous claim, as explained in Instruction #21. If your answer to Question 3 does not include compensation for an injury that has already been redressed, you have completed your deliberation for this claim and may proceed to the next claim.

Question 4: By what amount, if any, should your answer to Question 3 be reduced to prevent Infogroup from recovering more than once for the same injury?

\$ 4,000,000.

VERDICT-UNFAIR COMPETITION

Question 1: On Infogroup's unfair competition claim against DatabaseUSA and Vinod Gupta as instructed in Instruction #16, we find in favor of:

 X Infogroup with respect to either Mr. Gupta or DatabaseUSA
 The defendants

(Mark an "X" in the appropriate space)

Answer Questions 2 and 3 only if you find in favor of Infogroup with respect to either Mr. Gupta or DatabaseUSA in Question 1. If you found in favor of the defendants, you have completed your deliberation for this claim and may proceed to the next claim.

Question 2: Place an 'X' next to the name of those defendants whom you have found to have committed unfair competition.

 X Vinod Gupta
 X DatabaseUSA

Question 3: What is the total amount of damages, if any, that will fairly and reasonably compensate Infogroup for its injuries caused by one or more of the defendants' unfair competition?

\$ 43,600,000.

Answer Question 4 only if you awarded damages in Question 3, but your award includes compensation for an injury already redressed by your award on a previous claim, as explained in Instruction #21. If your answer to Question 3 does not include compensation for an injury that has already been redressed, you have completed your deliberation for this claim and may proceed to the next claim.

Question 4: By what amount, if any, should your answer to Question 3 be reduced to prevent Infogroup from recovering more than once for the same injury?

\$ 43,600,000.

VERDICT-BREACH OF CONTRACT-2008 AGREEMENT

Question 1: On Infogroup's breach of contract claim against Vinod Gupta as instructed in Instruction #17, we find in favor of:

 X Infogroup
 Vinod Gupta

(Mark an "X" in the appropriate space)

Answer Question 2 only if you find in favor of Infogroup in Question 1. If you found in favor of Mr. Gupta, you have completed your deliberation for this claim and may proceed to the next claim.

Question 2: What is the total amount of damages, if any, that will fairly and reasonably compensate Infogroup for its injuries caused by Mr. Gupta's breach of the contract?

\$ 10,000,000.

VERDICT-BREACH OF CONTRACT-2012 AGREEMENT

Question 1: On Infogroup's breach of contract claim against DatabaseUSA as instructed in Instruction #18, we find in favor of:

X Infogroup
____ DatabaseUSA

(Mark an "X" in the appropriate space)

Answer Question 2 only if you find in favor of Infogroup in Question 1. If you found in favor of DatabaseUSA, you have completed your deliberation for this claim and may proceed to the next claim.

Question 2: What is the total amount of damages, if any, that will fairly and reasonably compensate Infogroup for its injuries caused by DatabaseUSA's breach of the contract?

\$ 4,000,000.

Answer Question 3 only if you awarded damages in Question 2, but your award includes compensation for an injury already redressed by your award on a previous claim, as explained in Instruction #21. If your answer to Question 2 does not include compensation for an injury that has already been redressed, you have completed your deliberation for this claim and may proceed to the next claim.

Question 3: By what amount, if any, should your answer to Question 2 be reduced to prevent Infogroup from recovering more than once for the same injury?

\$ 4,000,000.

VERDICT-UNJUST ENRICHMENT

Question 1: On Infogroup's unjust enrichment claim against DatabaseUSA and Vinod Gupta as instructed in Instruction #19, we find in favor of:

X Infogroup with respect to either Mr. Gupta or DatabaseUSA
____ The defendants

(Mark an "X" in the appropriate space)

Answer Questions 2 and 3 only if you find in favor of Infogroup with respect to either Mr. Gupta or DatabaseUSA in Question 1. If you found in favor of the defendants, you have completed your deliberation for this claim and may proceed to the next claim.

Question 2: Place an 'X' next to the name of those defendants whom you have found to be liable for unjust enrichment.

X Vinod Gupta
X DatabaseUSA

Question 3: What is the total amount of damages, if any, that will fairly and reasonably compensate Infogroup for its injuries caused by one or more of the defendants' unjust enrichment?

\$ 43,600,000.

Answer Question 4 only if you awarded damages in Question 3, but your award includes compensation for an injury already redressed by your award on a previous claim, as explained in Instruction #21. If your answer to Question 3 does not include compensation for an injury that has already been redressed, you have completed your deliberation for this claim and may proceed to the next claim.

Question 4: By what amount, if any, should your answer to Question 3 be reduced to prevent Infogroup from recovering more than once for the same injury?

\$ 43,600,000.

EXECUTION OF VERDICT FORM

The foreperson shall sign and date the verdict form, and such signature shall mean that the verdict of the jury was unanimous.

Dated this 22 day of August, 2018.



FOREPERSON